



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,030	01/04/2001	Ralf Ruther	P00.1923	3351

29177 7590 01/11/2006

BELL, BOYD & LLOYD, LLC  
P. O. BOX 1135  
CHICAGO, IL 60690-1135

EXAMINER
----------

SINGH, RAMNANDAN P

ART UNIT	PAPER NUMBER
----------	--------------

2646

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/743,030

Applicant(s)

RUTHER, RALF

Examiner

Ramnandan Singh

Art Unit

2646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on ov. 25, 2005 & Oct. 24, 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on Nov. 25, 2005 has been en

### ***Double Patenting***

2. With the abandonment of Application no. 09/743,255, the double-patenting rejection is withdrawn.

### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgenthaler [US 6,310,609 B1] in view of Over et al [US 6,363,264 B1].

Regarding claim 5, Morgenthaler teaches a telecommunication terminal

Art Unit: 2646

(i.e. a mobile phone), comprising:

a microprocessor having a menu structure with options (col. 2, lines 48-67);  
an input device (i.e. keypad) (104) via which a user of the telecommunication terminal a modification of option function [col. 6, lines 33-67]; and  
at least one of an optical display and acoustic display [Figs. 1-4, 5A-5D; col. 1, lines 20-29; col. 1, line 48 to col. 2, line 29; col. 5, lines 11-52; Abstract].

Morgenthaler does not teach expressly a memory table (i.e. list) with key words that are assigned to an option, wherein the key words are selectable via the keys.

Overly et al teach a memory table (i.e. list) in a microprocessor (4) shown in Figs. 1-3, the memory table including catch-words (i.e. speed-dial words or keywords) with each catch-word having an option function allocated thereto [col. 8, line 56 to col. 9, line 16; Fig. 4], wherein the catch-words selected by the user via the input device (i.e. keypad 9), wherein the soft keys (14, 15) of the keypad are programmed to function as speed-dial keys [col. 4, lines 413-19]; wherein a respective option function is immediately implemented for modification after the respective catch-word is selected [col. 9, lines 36-50]. It is nevertheless a teaching tone of ordinary skill in the art to apply the same to other systems.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Overy et al with Morgenthaler in order to speed up the process of executing a menu option [Morgenthaler; col. 3, lines 8-19].

Regarding claim 6, Overy et al further teach the terminal, wherein the catch-words of the memory table are selected via at least one of alpha-numeric input keys [col. 3, line 53 to col. 4, line 7].

Regarding claim 7, Overy et al further teach the terminal, wherein at least parts of the memory table (i.e. list) are edited via the input device (104) [col. 9, lines 36-50].

Regarding claim 8, Morgenthaler and Overy et al teach that their devices are mobile telephones . In addition, Morgenthaler discloses that his invention may be utilized in any wired or wireless communication that comprises a keypad to direct an internal command sequence [Morgenthaler; col. 9, lines 15-25]. However, they do not specify that the sets may be a DECT or GSM handset.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art that the communication device would have been a DECT or GSM handset ( or any other brand or standard of telecommunicationsn device) for the purpose of allowing the invention to be used by users of all telecommunications terminals.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramnandan Singh  
Examiner  
Art Unit 2646



**SINH TRAN**  
**SUPERVISORY PATENT EXAMINER**